

DENTAL BOARD OF CALIFORNIA

Proposed Regulations

(1) Amend Section 1021 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

1021. Examination, Permit, Certificate and License Fees for Dentists.

The following fees are set for dentist examination, permit, certificate and licensure by the board:

(a) Initial application for the board clinical and written examination pursuant to Section 1632(c)(1) of the Code \$100; ~~initial application for those applicants qualifying pursuant to Section 1632(c)(2) \$100~~

(b) Application for determination of licensure eligibility for those applicants qualifying pursuant to Section 1632(c)(2) of the Code \$100;

(c) Application for determination of licensure eligibility for those applicants qualifying pursuant to Section 1634.1 of the Code \$100;

(d) California law and ethics examination or reexamination pursuant to Section 1632(b) of the Code \$75;

~~(e)~~ Initial application for restorative technique examination \$250;

~~(f)~~ Applications for reexamination (clinical and written examination pursuant to Section 1632(c)(1) and restorative technique examination) \$ 75;

~~(g)~~ Board clinical and written examination or reexamination pursuant to Section 1632(c)(1) of the Code \$450;

~~(h)~~ Restorative technique examination or reexamination \$250;

~~(i)~~ Fee for application for licensure by credential \$283;

~~(j)~~ Initial license \$365*;

~~(k)~~ Biennial license renewal fee \$365;

(~~il~~) Biennial license renewal fee for those qualifying pursuant to Section 1716.1 of the Code shall be one half of the renewal fee prescribed by subsection (~~h~~) (k);

(~~jm~~) Delinquency fee -license renewal - The delinquency fee for license renewal shall be the amount prescribed by section 163.5 of the Code;

(~~kn~~) Substitute certificate \$50;

(~~lo~~) Application for an additional office permit \$100;

(~~mp~~) Biennial renewal of additional office permit \$100;

(~~nq~~) Late change of practice registration \$50;

(~~or~~) Fictitious name permit ~~T~~the fee prescribed by Section 1724.5 of the Code;

(~~ps~~) Fictitious name renewal \$150;

(~~qt~~) Delinquency fee-fictitious name renewal ~~T~~the delinquency fee for fictitious name permits shall be one-half of the fictitious name permit renewal fee;

(~~ru~~) Continuing education registered provider fee \$250;

(~~sv~~) General anesthesia or conscious sedation permit or oral conscious sedation certificate \$200;

(~~tw~~) Oral Conscious Sedation Certificate Renewal \$75;

(~~ux~~) General anesthesia or conscious sedation permit renewal fee \$200; and

(~~vy~~) General anesthesia or conscious sedation on-site inspection and evaluation fee \$250.

***Fee pro-rated based on applicant's birth date.**

Note: Authority cited: Sections 1614, 1635.5, 1724 and 1724.5, Business and Professions Code.
Reference: Sections 1632, 1646.6, 1647.8, 1647.12, 1647.15, 1715, 1716.1, 1718.3, 1724 and 1724.5, Business and Professions Code.

(2) Amend Section 1028 of Title 16 of the California Code of Regulations to read as follows:

1028. Application for Licensure Examination Pursuant to Section 1632(c)(1).

(a) An applicant for licensure as a dentist pursuant to Section 1632(c)(1) of the Code shall submit an ~~"Application for Licensure to Practice Dentistry" (WREB) or "Application for Examination for Licensure to Practice Dentistry"~~, incorporated herein by reference, which are is a forms prescribed by the board and the application shall be accompanied by the following information and fees:

- (1) The application and examination(s) fees as set by Section 1021;
- (2) Satisfactory evidence that the applicant has met all applicable requirements in Section 1628 of the Code;
- (3) Two classifiable sets of fingerprints or a LiveScan form and applicable fee;
- (4) Where applicable, a record of any previous dental practice and verification of license status in each state or jurisdiction in which licensure as a dentist has been attained;
- (5) ~~Except for applicants qualifying pursuant to Section 1632(c)(2),~~ Satisfactory evidence of liability insurance or of financial responsibility in accordance with Section 1628(c) of the Code. For purposes of that subsection:
 - (A) Liability insurance shall be deemed satisfactory if it is either occurrence-type liability insurance or claims-made type liability insurance with a minimum five year reporting endorsement, issued by an insurance carrier authorized by the Insurance Commissioner to transact business in this State, in the amount of \$100,000 for a single occurrence and \$300,000 for multiple occurrences, and which covers injuries sustained or claimed to be sustained by a dental patient in the course of the licensing examination as a result of the applicant's actions.
 - (B) "Satisfactory evidence of liability insurance" means submission of an original letter written on insurance company letterhead stationery setting forth the insured's name, policy number, policy effective and expiration dates and a specific statement that coverage is being provided for the California board licensing examination.
 - (C) "Satisfactory evidence of financial responsibility" means posting with the board a \$300,000 surety bond.
- (6) Applicant's name, social security number, address of residency, mailing address if different from address of residency, date of birth, and telephone number;
- (7) Applicant's preferred examination site(s) in California ~~unless the applicant has passed the Western Regional Examining Board examination;~~
- (8) Any request for accommodation pursuant to the Americans with Disabilities Act;

(9) A 2-inch by 2-inch passport style photograph of the applicant, ~~submitted with the "Application for Licensure to Practice Dentistry (WREB)";~~

(10) Information regarding the applicant's education including dental education and postgraduate study;

(11) Certification from the dean of the qualifying dental school attended by the applicant to certify ~~the date the applicant graduated that the applicant has graduated, or will graduate or is expected to graduate. Certification must be completed on official school letterhead including the dean's, or his or her representative's, signature and seal of the Dental School;~~

(12) Information regarding whether the applicant has any pending or had in the past any charges filed against a dental license or other healing arts license;

(13) Information regarding any prior disciplinary action(s) taken against the applicant regarding any dental license or other healing arts license held by the applicant including actions by the United States Military, United States Public Health Service or other federal government entity. "Disciplinary action" includes, but is not limited to, suspension, revocation, probation, confidential discipline, consent order, letter of reprimand or warning, or any other restriction or action taken against a dental license. If an applicant answers "yes", he or she shall provide the date of the effective date of disciplinary action, the state where the discipline occurred, the date(s), charges convicted of, disposition and any other information requested by the board;

(14) Information as to whether the applicant is currently the subject of any pending investigation by any governmental entity. If the applicant answers "yes," he or she shall provide any additional information requested by the board;

(15) Information regarding any instances in which the applicant was denied a dental license, denied permission to practice dentistry, or denied permission to take a dental board examination. If the applicant answers "yes", he or she shall provide the state or country where the denial took place, the date of the denial, the reason for denial, and any other information requested by the board;

(16) Information as to whether the applicant has ever surrendered a license to practice dentistry in another state or country. If the applicant answers "yes," additional information shall be provided including state or country of surrender, date of surrender, reason for surrender, and any other information requested by the board;

(17) Information as to whether the applicant has ever been convicted of any crime including infractions, misdemeanors and felonies unless the conviction was for an infraction with a fine of less than \$300. "Conviction" for purposes of this subparagraph includes a plea of no contest and any conviction that has been set aside pursuant to Section 1203.4 of the Penal Code. Therefore, applicants shall disclose any convictions in which the applicant entered a plea of no contest and any convictions that were subsequently set aside pursuant to Section 1203.4 of the

Penal Code;

(18) Whether the applicant is in default on a United States Department of Health and Human Services education loan pursuant to Section 685 of the Code;

(19) Information regarding whether the applicant has previously taken any examination that may be used for licensure in the state;

(1920) Any other information the board is authorized to consider when determining if an applicant meets all applicable requirements for examination and licensure, including, but not limited to,:

(A) successful completion of the California law and ethics examination pursuant to Section 1632(b) of the Code within the two years immediately preceding the application for licensure; and

(B) evidence of successful completion of the written examinations pursuant to Section 1632(a) of the Code; and

(2021) A certification, under the penalty of perjury, by the applicant that the information on the application is true and correct;

(b) Completed applications shall be filed with the board not later than 45 days prior to the date set for the beginning of the examination for which application is made. An application shall not be deemed incomplete for failure to establish compliance with educational requirements if the application is accompanied by a certification from an approved school that the applicant is expected to graduate from that school prior to such examination and if the approved school certifies not less than 15 days prior to examination that the applicant has in fact graduated from that school. Certification of actual graduation must be filed to enable the board to determine eligibility.

~~(c) In addition to complying with the applicable provisions contained in subsections (a) through (b) above, an applicant for licensure as a dentist upon passage of Western Regional Examining Board ("WREB") examination shall also furnish evidence of having successfully passed, on or after January 1, 2005, the WREB examination. Following submission of a complete application and review of the application by the board, the applicant shall be notified of his or her eligibility for licensure. Upon a finding that the applicant is eligible, the applicant shall file an "Application for Issuance of License Number and Registration of Place of Practice," a form prescribed by the board as set forth in Section 1028.4.~~

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1628 and 1628.5, Business and Professions Code.

(3) Adopt Section 1028.1 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

1028.1. Application for Determination of Licensure Eligibility Pursuant to Section 1632(c)(2).

(a) An applicant for licensure as a dentist pursuant to Section 1632(c)(2) of the Code shall submit an “[Application for Determination of Licensure Eligibility \(WREB\)](#),” incorporated herein by reference, and the application shall be accompanied by the following information and fees:

- (1) The application fee as set by Section 1021;
- (2) Satisfactory evidence that the applicant has met all applicable requirements in Section 1628 of the Code;
- (3) Two classifiable sets of fingerprints or a LiveScan form and applicable fee;
- (4) Where applicable, a record of any previous dental practice and verification of license status in each state or jurisdiction in which licensure as a dentist has been attained;
- (5) Applicant's name, social security number, address of residency, mailing address if different from address of residency, date of birth, and telephone number;
- (6) A 2-inch by 2-inch passport style photograph of the applicant;
- (7) An original or original duplicate success card from the WREB showing that the applicant passed the WREB on or after January 1, 2005;
- (8) Information regarding the applicant's dental education and postgraduate study;
- (9) Certification from the dean of the qualifying dental school attended by the applicant to certify the date the applicant graduated. Certification of actual graduation must be completed on official school letterhead including the dean's, or his or her representative's, signature and seal of the Dental School;
- (10) Information regarding whether the applicant has any pending or had in the past any charges filed against a dental license or other healing arts license;
- (11) Information regarding any prior disciplinary action(s) taken against the applicant regarding any dental license or other healing arts license held by the applicant including actions by the United States Military, United States Public Health Service or other federal government entity. "Disciplinary action" includes, but is not limited to, suspension, revocation, probation, confidential discipline, consent order, letter of reprimand or warning, or any other restriction or action taken against a dental license. If an applicant answers "yes", he or she shall provide the

date of the effective date of disciplinary action, the state where the discipline occurred, the date(s), charges convicted of, disposition and any other information requested by the board;

(12) Information as to whether the applicant is currently the subject of any pending investigation by any governmental entity. If the applicant answers "yes," he or she shall provide any additional information requested by the board;

(13) Information regarding any instances in which the applicant was denied a dental license, denied permission to practice dentistry, or denied permission to take a dental board examination. If the applicant answers "yes", he or she shall provide the state or country where the denial took place, the date of the denial, the reason for denial, and any other information requested by the board;

(14) Information as to whether the applicant has ever surrendered a license to practice dentistry in another state or country. If the applicant answers "yes," additional information shall be provided including state or country of surrender, date of surrender, reason for surrender, and any other information requested by the board;

(15) Information as to whether the applicant has ever been convicted of any crime including infractions, misdemeanors and felonies unless the conviction was for an infraction with a fine of less than \$300. "Conviction" for purposes of this subparagraph includes a plea of no contest and any conviction that has been set aside pursuant to Section 1203.4 of the Penal Code. Therefore, applicants shall disclose any convictions in which the applicant entered a plea of no contest and any convictions that were subsequently set aside pursuant to Section 1203.4 of the Penal Code;

(16) Whether the applicant is in default on a United States Department of Health and Human Services education loan pursuant to Section 685 of the Code;

(17) Any other information the board is authorized to consider when determining if an applicant meets all applicable requirements for licensure, including, but not limited to,:

(A) successful completion of the California law and ethics examination pursuant to Section 1632(b) of the Code within the two years immediately preceding the application for licensure; and

(B) evidence of successful completion of the written examinations pursuant to Section 1632(a) of the Code; and

(18) A certification, under the penalty of perjury, by the applicant that the information on the application is true and correct.

(b) The Application for Determination of Licensure Eligibility (WREB) may be filed at any time after the candidate has applied to take the WREB examination and may be submitted in an incomplete form. The board will process the application to the extent possible with the

information submitted, provided, the applicant includes, at a minimum the information required in subsection (a) except for the information specified in (a)(2), (a)(7) and (a)(9).

(c) Following submission of a complete application and review of the application by the board, the applicant shall be notified of his or her eligibility for licensure. Upon a finding that the applicant is eligible, the applicant shall file an “Application for Issuance of License Number and Registration of Place of Practice,” a form prescribed by the board as set forth in Section 1028.4.

NOTE: Authority cited: Sections 1614, Business and Professions Code. Reference: Sections 1628, 1628.5, and 1632, Business and Professions Code.

(4) Adopt Section 1028.4 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

1028.4. Application for License Number and Registration of Place of Practice Pursuant to Section 1650.

(a) Upon being found eligible for licensure, the applicant shall file an “[Application for License Number and Registration of Place of Practice](#),” incorporated herein by reference, which shall be accompanied by the following information and fees:

(1) The licensure fee as set by Section 1021;

(2) The applicant’s legal name, mailing address and address of practice if different from the mailing address, telephone number, social security number, e-mail address and date of birth;

(3) A certification, under the penalty of perjury, by the applicant that the information on the application is true and correct;

(4) The name and mailing address will become public information upon issuance of the license number.

NOTE: Authority cited: Sections 1614, Business and Professions Code. Reference: Sections 1634, 1634.1, and 1650, Business and Professions Code.

(5) Adopt Section 1028.5 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

1028.5. Application for California Law and Ethics Examination Pursuant to Section 1632(b).

(a) Application for the California law and ethics examination shall be made on “[Application for Law and Ethics Examination](#)” incorporated herein by reference, and shall be accompanied by the following information and fees:

(1) The examination fee as set by Section 1021;

(2) Applicant's name, address of residency, mailing address if different from address of residency, and telephone number;

(3) Applicant's preferred examination site.

(4) Any request for accommodation pursuant to the Americans with Disabilities Act;

(5) Certification from the dean of the qualifying dental school attended by the applicant to certify that the applicant will graduate or is expected to graduate within in one year of the administration of the law and ethics exam applied for, or has graduated.

NOTE: Authority cited: Section 1614, Business and Professions Code. Reference: Section 1632, Business and Professions Code.

(6) Adopt Section 1028.6 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

1028.6. Application for Reexamination

(a) Application for reexamination shall be made on “[Re-Examination Application for Law and Ethics Examination](#)” incorporated herein by reference, and shall be accompanied by the following information and fees:

(1) The fee(s) as set by Section 1021;

(2) Applicant's name, address of residency, mailing address if different from address of residency, and telephone number;

(3) The examination applied for, the appropriate application for that examination and all information required by that application;

(4) Applicant's preferred examination site;

(5) Any request for accommodation pursuant to the Americans with Disabilities Act;

NOTE: Authority cited: Section 1614, Business and Professions Code. Reference: Section 1632, Business and Professions Code.